HON'BLE SRI G.S. SINGHVI,

CHIEF JUSTICE

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W.P. NO. 1942 OF 1995.

BETWEEN:

M. Satyavathi, D/o late V.V.Ramanaiah,

R/o Himayatnagar, Hyderabad.

PETITIONER.

AND

Commissioner of Land Reforms &
Urban Land Ceiling, Andhra Pradesh,

Hyderabad, and another.

….. RESPONDENTS.

:: ORDER ::

Counsel for the petitioner : Mr. B.Narasimha Sharma

Counsel for the respondents : G.P. for Assignment.

27th January, 2006.

This petition is directed against order dated 01.06.1994 passed by the Appellate Authority constituted under the Urban Land (Ceiling & Regulation) Act, 1976 (for short 'the Act').

A perusal of the order under challenge shows that the appeal filed by the petitioner under Section 33 of the Act was partly allowed by the appellate authority and the case was remanded to the competent authority for fresh determination of the petitioner's request for exemption of the land falling in peripheral area in accordance with G.O.Ms.No.733, Revenue (UC.III) Department, dated 31.10.1988.

At the hearing, learned counsel for the petitioner submitted that his client will feel satisfied if the Court directs the competent authority to consider the prayer

for exemption made by her in terms of application dated 25.01.1982.

Learned Government Pleader says that the respondents will not have any objection if the competent authority is directed to consider the request for exemption made by the petitioner in terms of her application dated 25.01.1982 provided that such consideration is made strictly in terms of G.O.Ms.No.733, dated 31.10.1988.

In view of the statements made by the learned counsel, I do not consider it necessary to go into the legality or otherwise of the order under challenge and dispose of the writ petition with the following directions:

> (i) within one month from today the petitioner may make an application to the competent authority for deciding her case for exemption on the basis of application dated 25.01.1982 and in accordance with G.O.Ms.No.733, dated 31.10.1988; and
>
> (ii) within next three months the competent authority shall, after hearing the petitioner and representative of the Department, pass appropriate order in accordance with law.

No order as to costs.

G.S. SINGHVI. CJ

Dated: 27.01.2006.

VRK.

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CHIEF JUSTICE

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Dt: 27-01-2006.